Remarks

Claims 1-42 were pending in the application. Claims 1, 10-13, 15-16, 22 and 38 have been amended. No claims have been added. Thus, claims 1-42 are subject to continued examination.

35 U.S.C. §112 Rejections

Claim 1, 10-13, 15-16, 22, and 38 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action specifically cites that claims 10-13 and 15-16 lack proper antecedent basis. Applicants respectfully submit that claims 10-13 and 15-16 have been amended such that "dyeing" has been replaced with "exposing substantially the entire fabric to an aqueous dye liquor" which is the wording employed in independent claim 1.

The Office Action further cites claims 1, 22, and 38 as being unclear due to the expression "without requiring a subsequent operation to remove the chemical substance from the fabric". Claims 1, 22, and 38 have been amended such that this expression is removed. Consequently, applicants respectfully request that the rejection of all pending claims on the basis of 35 U.S.C. §112, second paragraph, should not be maintained.

Anticipation/Obviousness Rejections

Claims 1-9, 14, 16-22, 25-39, and 41-42 stand rejected under 35 U.S.C. §102(b) as being anticipated by or in the alternative, obvious over Kanzig et al. (WO 99/67459). Continued rejection on these grounds is respectfully traversed and reconsideration is requested.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim. (MPEP § 2131). Furthermore, in order to establish a *prima facie* case of obviousness there must be some suggestion or motivation that would lead to the claimed invention. The suggestion or motivation may derive from the references themselves or from the knowledge generally available to those of skill in the art. In addition, all the claim limitations must be taught or suggested by the prior art (MPEP § 2142). Applicants respectfully submit that these standards are not met with regard to the claims as now presented.

As best understood, Kanzig describes a discharge printing method for hydrophobic fiber materials utilizing a discharge agent which is gentler to fabrics than previous alkaline discharge agents. Applicants respectfully submit that the instant claims delineate the process of achieving a patterned effect using inhibition of wetting which prevents the treated region of the fabric from becoming fully saturated while exposing substantially the entire fabric to the dye. In contrast, as

best understood Kanzig specifically relies on increased wetability in any treated areas to achieve variable dyeing. This understanding is based on the fact that each of the paste formulations used in the examples of Kanzig incorporates ethylene oxide with castor oil. Such constituents are understood to be wetting agents and would have the effect of increasing wetability in a substrate to which they are applied. Such an understanding is consistent with the stated goal of Kanzig to facilitate printing of hydrophobic fiber materials.

If one were to follow the practice advocated by the Office Action of putting a print paste of Kanzig down first and then overdyeing, the wetting agents in the Kanzig print pastes would increase the wetability of the substrate fabric. Of course, this is the exact opposite of the presently claimed invention. Moreover, any elimination of the wetting agents in the Kanzig print pastes would likely change the performance of the Kanzig pastes and appears to be inconsistent with the basic goal of printing hydrophobic fiber. Accordingly, no reasonable motivation appears to exist for making a modification to reach the present invention.

Claims 1-42 stand rejected under 35 U.S.C. §102(b) as being anticipated by or in the alternative, obvious over Thomas et al. (US 4,131,422). Continued rejection on these grounds is respectfully traversed and reconsideration is requested.

As best understood, Thomas teaches the application of a water soluble acid dyeable polymer in a pre-determined pattern followed by application of a dye which preferentially dyes the polymer coated portion of the fabric. The acid dyeable polymer contains cationic sites. The dyes employed are anionic dyes. Clearly, this is an ion-exchange mechanism (Col. 2, lines 27-33). Instead of retarding dyeing by inhibition of wetting, Thomas discloses application of a polymer which enhances dyeing of the areas to which the polymer has been applied. Applicants respectfully submit that this cited art in no way anticipates or renders obvious a process utilizing a chemical agent which physically lessens wetting of the fabric and thereby affects saturation of the fabric by dyes.

Obviousness Rejections

Claims 1, 3-4, 7, 9, 14, 17, 19-20, 22, 30, 31, 33-34, 36-38, and 42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Moore et al. (US 5,984,977). Continued rejection on these grounds is respectfully traversed and reconsideration is requested.

As best understood, Moore discloses a dye blocking print paste and a dye enhancing print paste used to selectively decrease or increase the shade of dyed portions of a cellulose article (Abstract). Applicants respectfully submit that this cited art involves chemically blocking dye sites during a discontinuous dye process. The dye blocking agent preferably comprises a pre-catalyzed glyoxal resin and a dye resist which is preferably polyacrylic acid (Col. 3, lines13-18). Both components are

required in order to effectively block the dye (Table 3). Furthermore, the fact that the dye blocking paste includes a wetting agent (Col. 2, line 66) would argue against a mechanism in which the dye blocking paste was physically inhibiting wetting of the fabric. The dye enhancing agent is an epoxy functional quaternary ammonium compound which has been used in the past to react with cellulose to yield a permanent cationic site on the cellulose to improve dye yield (Col. 4, lines 51-53). Moore provides neither the suggestion nor the motivation to employ physical inhibition of wetting to achieve a pattern effect as seen in the instant application. Accordingly, it is respectfully submitted that any outstanding obviousness rejection based on Moore should be withdrawn.

Conclusion:

For the reasons set forth above, it is respectfully submitted that the cited art fails to support continued rejection. Thus, it is respectfully submitted that all claims now stand in condition for allowance.

Should any issues remain after consideration of this Amendment and accompanying Remarks, the Examiner is invited and encouraged to telephone the undersigned in the hope that any such issue may be promptly and satisfactorily resolved.

Extension of Time: A three month extension of time accompanies this submission. In the event that additional time is required to have the papers

submitted herewith for the above referenced application to be considered timely. Applicant hereby petitions for any additional time required to make these papers timely and authorization is hereby granted to withdraw any additional fees necessary for this additional time from our Deposit Account No. 50-1424.

Respectfully submitted,

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